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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/393,482

09/10/1999

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FTP139AUS

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08/04/2006

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EXAMINER

LUGO, CARLOS

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

### **DETAILED ACTION**

1. This miscellaneous letter is in response to applicant communication filed on October 25, 2004. In this communication, the applicant request he withdraw of the notice of allowance filed on September 20, 2004 as been premature.

The application history is the following:

- The applicant filed an appeal brief on March 17, 2003.
- An examiner's answer was filed on April 7, 2003.
- The Board of Appeals affirms the examiner in his decision filed on June 15, 2004.
- After two months, a notice of allowance was filed on September 20, 2004.

The applicant argues that he timely response to the decision of the Board by requesting a rehearing on August 16, 2004.

Because of an applicant mistake, by providing the wrong serial number in the request, the examiner was not aware of this request; therefore, the notice of allowance was mail.

Nevertheless, after further review of the events, the notice of allowance filed on September 20, 2004 has been withdrawn and the application is send back to the Board of Appeals.

### **Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.



Carlos Lugo  
Patent Examiner AU 3676  
August 2, 2006.



BRIAN E. GLESSNER  
SUPERVISORY PATENT EXAMINER